

**SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS**

**SUPPLEMENT to POST
ENVIRONMENTAL ASSESSMENT**

ENVIRONMENTAL RECOMMENDATIONS IN DOCKET NO. AB-55 (Sub-No. 701X)

October 8, 2010

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

☐ Notice of Exemption ☒ Petition for Exemption ☐ Regulated Abandonment

☐ **NO NEW COMMENTS WERE RECEIVED**

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In this proceeding, CSX Transportation (CSXT) filed a petition with the Surface Transportation Board (Board) seeking authority to abandon a 3.71-mile segment of rail line in Terre Haute, Ind. By decision served on August 16, 2010, the Board granted CSXT's request. The decision imposed a condition requiring CSXT retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures, and objects within the project right-of-way (the Area of Potential Effect) that are eligible for listing or listed in the National Register of Historic Places until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. § 470f (NHPA), has been completed.

Comments on the EA

The attached correspondence dated September 14, 2010, from the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology (State Historic Preservation Office or SHPO) indicates that the Indiana SHPO did not identify any historic buildings, structures, districts or objects listed in or eligible for inclusion in the National Register of Historic Places within the probable Area of Potential Effect. The SHPO also concluded that no archaeological investigation was necessary for the proposed abandonment.

Conclusions

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 C.F.R. § 800.4(d)(1), and following consultation with the SHPO and the public, the Office of Environmental Analysis (OEA)¹ has determined that the proposed abandonment would not affect historic properties listed in or eligible for inclusion in the National Register. The documentation for this finding, as specified at 36 C.F.R. § 800.11(d), consists of the railroad's historic report, all relevant correspondence, the EA, the Post EA and this Supplement to the Post EA, which have been provided to the SHPO and made available to the public through posting on the Board's website at <http://www.stb.dot.gov>.

This completes the Section 106 process and OEA recommends that the Section 106 condition imposed by the Board in this proceeding be removed at this time.

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¹ Formerly the Section of Environmental Analysis or SEA.



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September 14, 2010

Ray Magruder
CSX Transportation
500 Water Street, J200
Jacksonville, Florida 32202

Federal Agency: Surface Transportation Board

Re: Additional information regarding a notice of exemption for abandonment of 3.71 miles of rail line between milepost QST 1.42 (Park Avenue) to milepost QST 5.13 (Spring Hill) known as a portion of the 1st Street Lead, Graham Grain Lead, and the International Paper Lead (DHPA #9327)

Dear Mr. Magruder:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated March 19, August 16, and August 27, 2010 and received on March 22, August 19, and August 27, 2010, for the above indicated project in Terre Haute, Vigo County, Indiana.

Based upon the documentation available to the staff of the Indiana SHPO, we have not identified any historic buildings, structures, districts, or objects listed in or eligible for inclusion in the National Register of Historic Places within the probable area of potential effects.

In terms of archaeological resources, sites 12Vi801 (Lock #43) and 12Vi802 (Lock #44) are within the proposed project area. It appears that the railroad is on the towpath of the Wabash and Erie Canal associated with the above locks. It is our understanding that all proposed project activities will remain within the railroad and road rights-of-way and that the intact portions of these sites and the canal itself will be avoided by all ground disturbing activities. With the above conditions, no archaeological investigations appear necessary for this project.

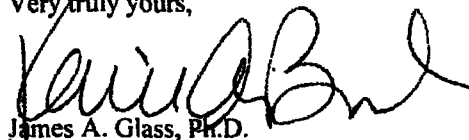
Upon completing its own identification and evaluation efforts, it would be appropriate for the Surface Transportation Board to analyze the information that has been gathered from the Indiana SHPO, the general public, and any other consulting parties and make the necessary determinations and findings. Refer to the following comments for guidance:

- 1) If the Surface Transportation Board believes that a finding of "no adverse affect" accurately reflects its assessment, then it shall provide documentation of its finding as set forth in 36 C.F.R. § 800.11(e) to the Indiana SHPO, notify all consulting parties, and make the documentation available for public inspection (36 C.F.R. §§ 800.5[b-c] and 800.2[d][2]).
- 2) If, on the other hand, the Surface Transportation Board believes that a finding of "adverse affect" accurately reflects its assessment, then it shall provide notification to the Advisory Council on Historic Preservation by providing the documentation in 36 C.F.R. § 800.11(e) as stated in 36 C.F.R. § 800.6(a)(1). Additionally, the Surface Transportation Board may proceed to provide documentation of its finding as set forth in 36 C.F.R. § 800.11(e) to the Indiana SHPO, all consulting parties, and make the documentation available for public inspection and proceed to seek ways to avoid, reduce and

mitigate effects as stated in 36 C.F.R. § 800.6 (a)(2-5).

A copy of the revised 36 C.F.R. Part 800 that went into effect on August 5, 2004, may be found on the Internet at www.achp.gov for your reference. If you have questions about archaeological issues please contact Cathy Draeger-Williams at (317) 234-3791 or cdraeger-williams@dnr.IN.gov. If you have questions about buildings or structures please contact Chad Slider at (317) 234-5366 or cslider@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA #9327.

Very truly yours,



James A. Glass, Ph.D.
Deputy State Historic Preservation Officer

JAG.CDW.edw

cc: David C. Navecky, Environmental Protection Specialist, Surface Transportation Board